

ATTORNEY DOCKET NO. SD-6594.1/S93878
SERIAL NO. 09/927,691
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED
CENTRAL FAX CENTER****AUG 03 2005**

In re application of: Timothy J. Tautges

Serial No.: 09/927,691

Filed: August 8, 2001

For: AUTOMATIC DETECTION OF SWEEP-MESHABLE
VOLUMES

Group No.: 2128

Patent Examiner: Thai Q. Phan

Petitions Examiner: Frances Hicks

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450.

37 CFR 1.8(a)
☐ with sufficient postage
as first class mail

37CFR 1.10
☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____

TRANSMISSION

☒ transmitted by facsimile to the Patent and Trademark Office,
fax number 571-273-8300

Viola Campos
Signature

Date: 8/3/05

VIOLA CAMPOS
Printed Name

Sir:

AMENDMENT AND RENEWAL OF PETITION

No fees are believed to be necessary; however, in the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to Deposit Account No. 19-0131. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and may be charged to Deposit Account No. 19-0131.

In response to the Decision on Petition Under 37 CFR 1.78(a)(6) mailed July 27, 2005, please amend the above-identified application as follows:

ATTORNEY DOCKET NO. SD-6594.1/S93878
SERIAL NO. 09/927,691
PATENT

IN THE SPECIFICATION

Please replace the paragraph after the title on page 1 (previously added by amendment filed March 23, 2005) with the following amended paragraph:

This invention claims priority under 35 U.S.C. § 119(e) to U.S. Provisional Patent Application Serial No. 60/226,445, filed August 17, 2000[, incorporated herein by reference].

ATTORNEY DOCKET NO. SD-6594.1/S93878
SERIAL NO. 09/927,691
PATENT

REMARKS

Claims 1-22 are pending in the application.

Claims 1-22 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Automatic Scheme Selection for Toolkit Hex Meshing, International Journal for Numerical Methods in Engineering, Volume 49, July 18, 2000, pp. 127-144* by White, et al. ("White").

Applicants have herein amended the specification to include an unintentionally omitted claim to the benefit under 35 U.S.C. § 119(e) of a prior filed provisional application and to delete an incorporation by reference to the prior filed provisional application.

Applicants respectfully submit that the present application (Attorney Docket No. SD-6594.1/S93878), which was filed on August 8, 2001 with a Non-Publication Request under 35 U.S.C. § 122(b)(2)(B)(i), unintentionally failed to claim priority to an earlier filed provisional application (Serial No. 60/226,445, Attorney Docket No. SD-6594/S93878) which was filed on August 17, 2000, only one month after the White publication. Applicants were not aware of the unintentional omission until preparation for a response to the Office Action mailed December 23, 2004.

Applicants filed a Petition to Claim Benefit Under 35 U.S.C. § 119(e) of Prior Filed Provisional Application (37 C.F.R. § 1.78(a)(6)) for the present application on March 22, 2005. This petition was dismissed with instructions to submit a substitute amendment deleting an incorporation by reference statement and to submit a renewed petition. Applicants herein respectfully request a renewal of the Petition to Claim Benefit

ATTORNEY DOCKET NO. SD-6594.1/S93878
SERIAL NO. 09/927,691
PATENT

Under 35 U.S.C. § 119(e) of Prior Filed Provisional Application (37 C.F.R. § 1.78(a)(6))
filed on March 22, 2005 for the present application.


A similar paper is being transmitted to the Petitions Examiner of record.

In view of the foregoing, Applicant respectfully submits that Claims 1-22 are
allowable and requests notice to that effect.

Further and favorable consideration is respectfully requested.

Date: 08/03/05

Respectfully submitted,


Madelynn J. Furber
Registration No. 45,410

Sandia National Laboratories
P.O. Box 5800, MS 0161
Albuquerque, NM 87185-0161
(p) 505-844-3858, (f) 505-844-9955